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ACTION AF-00

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	H-01	TEDE-00	INR-00	IO-00	L-00	VCE-00	AC-01
	NSAE-00	OIC-02	OMB-01	OPIC-01	PA-00	PM-00	PRS-00
	ACE-00	P-00	SP-00	SSO-00	STR-00	TRSE-00	USIE-00
	PMB-00	DSCC-00	PRM-01	DRL-02	G-00	NFAT-00	SAS-00
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FM AMEMBASSY HARARE
TO SECSTATE WASHDC IMMEDIATE 6311
INFO NSC WASHDC IMMEDIATE
SOUTHERN AFRICAN DEVELOPMENT COMMUNITY
USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 01 OF 03 HARARE 003168

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AF FOR P/DAS POWELL AND DAS SCHNEIDMAN
AF/S FOR A. RENDER, D. BOOTH, AND C. GURNEY
NSC FOR GAYLE SMITH
PASS USAID FOR A/AID RMCALL AND AFR/SA WJEFFERS

E.O. 12958: DECL: 06/01/10
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SUBJECT: IRI AND NDI OBSERVER DELEGATIONS FACE
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PROBLEMS OVER ACCREDITATION

REF: HARARE 3098

CLASSIFIED BY EARL M. IRVING, DCM. REASONS: 1.5
(B) AND (D).

1. (U) THIS MESSAGE CONTAINS AN ACTION REQUEST;
SEE PARAS 8-10.

2. (C) SUMMARY: OBSERVER DELEGATIONS FROM THE
NATIONAL DEMOCRATIC INSTITUTE (NDI) AND
INTERNATIONAL REPUBLICAN INSTITUTE (IRI) ARE
FACING BUREAUCRATIC HURDLES THAT SO FAR HAVE
PREVENTED THEM FROM RECEIVING ACCREDITATION FROM
THE GOZ. BOTH GROUPS HAVE TOLD US THAT THEY WILL
HAVE TO REASSESS HOW TO PROCEED IF THEY DO NOT
RECEIVE ACCREDITATION SOON. THE PROBLEMS STEM
FROM NEW ELECTORAL REGULATIONS (REFTEL) THAT
APPARENTLY PROVIDE NO MECHANISM FOR ACCREDITATION
OF FOREIGN NGO'S. A SENIOR MFA OFFICIAL, WHO WAS
AWARE OF THE NON-GOVERNMENTAL STATUS OF THE
IRI/NDI TEAMS, SUGGESTED TO DCM THAT THEY COULD
RECEIVE ACCREDITATION IF THE EMBASSY INCLUDED THE
GROUPS IN A DIPLOMATIC NOTE LISTING THEM AS
OFFICIAL USG OBSERVERS. HOWEVER, THIS POSES A
NUMBER OF POTENTIAL PROBLEMS FOR BOTH THE USG AND
NOI/IRI, INCLUDING THE FACT THAT THE USG WOULD BE
IDENTIFIED WITH THE GROUPS' CONCLUSIONS. OTHER
POSSIBILITIES INCLUDE RAISING THE ISSUE WITH THE
ELECTION DIRECTORATE (TO WHICH MFA IS REFERRING
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NGO APPLICATIONS) AND OTHER RELEVANT OFFICIALS,
AND A USG ASSESSMENT THAT IT IS TOO LATE FOR
FURTHER INTERVENTION. EMBASSY REQUESTS
DEPARTMENT'S GUIDANCE ON HOW TO PROCEED. END
SUMMARY.

NEW REGULATIONS COMPLICATE ACCREDITATION

3. (C) THE PUBLICATION OF NEW REGULATIONS
SETTING OUT ACCREDITATION PROCEDURES FOR ELECTION
OBSERVERS (REFTEL), AND THE LACK OF CLEAR
INSTRUCTIONS FROM THE GOVERNMENT ON HOW TO COMPLY
WITH THEM, HAVE CREATED CONSIDERABLE CONFUSION ON
THE PART OF INTERNATIONAL OBSERVERS ATTEMPTING TO
OBTAIN ACCREDITATION. MONITORING TEAMS DIRECTLY
AFFILIATED WITH FOREIGN GOVERNMENTS AND
INTERNATIONAL ORGANIZATIONS, INCLUDING THE 150-
STRONG EU OBSERVER MISSION, FACE A CUMBERSOME BUT
RELATIVELY STRAIGHTFORWARD PROCESS. THEY ARE
REQUIRED TO SUBMIT THE NAMES OF THEIR TEAM
MEMBERS UNDER COVER OF A DIPLOMATIC NOTE, RECEIVE
APPROVAL FROM THE FOREIGN MINISTRY, AND THEN

APPLY TO THE ELECTION DIRECTORATE (AN INTER-GOVERNMENTAL BODY WHICH OVERSEES THE ACCREDITATION OFFICE) FOR CREDENTIALS. EU ACCREDITATION IS APPARENTLY PROCEEDING FAIRLY SMOOTHLY, WITH THE EXCEPTION OF SEVERAL KENYANS, WHOSE ELIGIBILITY TO TAKE PART IN THE DELEGATION THE GOZ HAS QUESTIONED.

14. (C) HOWEVER, THERE IS APPARENTLY NO PROCEDURE
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IN PLACE FOR REGISTRATION OF INTERNATIONAL
OBSERVER TEAMS WHICH ARE NOT OFFICIAL DELEGATIONS
OF GOVERNMENTS, MISSIONS, OR INTERNATIONAL
ORGANIZATIONS. THIS INCLUDES THE NDI/IRI TEAMS,
WHICH ARE FUNDED BY USAID. (NOTE: THERE IS A
PROCEDURE FOR REGISTRATION OF DOMESTIC NGO'S, BUT
IT IS ONLY OPEN TO ZIMBABWEAN CITIZENS. END
NOTE.) WHEN IRI AND NDI REPORTED TO THE FOREIGN
MINISTRY FOR ACCREDITATION ON JUNE 12, THEY WERE
TOLD THAT THEY WOULD NOT BE ABLE TO REGISTER
UNLESS THE EMBASSY SENT A LETTER INCLUDING THE
NAMES OF ALL AMERICAN OBSERVERS, INCLUDING THE
NDI/IRI TEAMS. THE EMBASSY CALLED THE FOREIGN
MINISTRY SEVERAL TIMES THAT DAY IN AN ATTEMPT TO
CLARIFY THE ACCREDITATION REQUIREMENTS, AND
RECEIVED A NUMBER OF CONTRADICTORY RESPONSES.

DISCUSSION WITH MFA

15. (C) DCM AND POLOFF CALLED ON DR. NGONI
CHIDEYA, DIRECTOR OF THE MFA'S OFFICE ON EUROPE
AND THE AMERICAS, ON JUNE 13 TO ASK HOW THE
NDI/IRI TEAM'S ACCREDITATION COULD BE
FACILITATED. CHIDEYA SAID THAT THE FOREIGN
MINISTRY WAS ONLY AUTHORIZED TO APPROVE

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PROBLEMS OVER ACCREDITATION

ACCREDITATION FOR DELEGATIONS REPRESENTING THREE
TYPES OF ENTITIES: 1) INTERNATIONAL
ORGANIZATIONS, SUCH AS THE UNITED NATIONS, SADC,
THE COMMONWEALTH, AND THE OAU, TO WHICH ZIMBABWE
BELONGS, 2) FOREIGN MISSIONS, SUCH AS THE EU,
THAT HAD REQUESTED PERMISSION TO FIELD OBSERVER
MISSIONS, AND 3) GOVERNMENTS, INCLUDING BOTSWANA,
SOUTH AFRICA, AND THE UNITED STATES, THAT HAD
BEEN INVITED TO SEND OFFICIAL DELEGATIONS.
(COMMENT: CHIDEYA ASSERTED, INACCURATELY, THAT
THE SECRETARY HAD REQUESTED PERMISSION TO SEND AN
OFFICIAL OBSERVER DELEGATION DURING A RECENT
TELEPHONE CONVERSATION WITH PRESIDENT MUGABE, AND
THAT MUGABE HAD AGREED TO THIS REQUEST. END
COMMENT.)

16. (C) MFA, CHIDEYA CONTINUED, HAS NO MECHANISM

FOR ACCREDITING FOREIGN NGO'S. HE NOTED THAT HE HAD REFERRED, OR WAS PLANNING TO REFER, SEVERAL SUCH APPLICATIONS FROM NGO'S (INCLUDING ONE FROM THE FRIEDRICH NAUMANN STIFTUNG, A GERMAN POLITICAL PARTY-AFFILIATED NGO WITH FUNCTIONS SIMILAR TO THOSE OF NDI AND IRI) TO THE ELECTION DIRECTORATE FOR FURTHER ACTION. CHIDEYA SUGGESTED THAT THE GOZ WOULD BE ABLE TO APPROVE ACCREDITATION FOR THE NDI/IRI TEAM MEMBERS IF THEIR NAMES WERE SUBMITTED, ALONG WITH THOSE OF EMBASSY PERSONNEL PLANNING TO ACT AS OBSERVERS, UNDER COVER OF A DIPLOMATIC NOTE STATING THAT

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THESE PEOPLE CONSTITUTED AN OFFICIAL USG DELEGATION. (COMMENT: WE ASSUME THAT THE REASON THAT DR. CHIDEYA DID NOT REFER NDI AND IRI TO THE ELECTION DIRECTORATE ALONG WITH OTHER NGO'S WAS HIS PURPORTED UNDERSTANDING THAT THEY WERE PART OF THE "OFFICIAL" USG DELEGATION. END COMMENT.)

IRI'S AND NDI'S VIEWS

17. (C) DCM AND POLOFFS BRIEFED NDI AND IRI REPRESENTATIVES ON THE MEETING WITH CHIDEYA JUNE 13. BOTH ORGANIZATIONS TOLD US THAT BEING PORTRAYED AS AN OFFICIAL GOVERNMENT DELEGATION WOULD BE PROBLEMATIC FROM THEIR POINT OF VIEW. BOTH IRI AND NDI TOLD US THAT IF THEY ARE NOT ABLE TO REGISTER IN THE NEXT DAY OR SO THEY WILL HAVE TO REASSESS THEIR PLANS. A PARTICULAR WORRY FOR IRI IS THE GOVERNMENT'S RECENT DECISION TO SHUT DOWN THE ACCREDITATION CENTER ON JUNE 22. REGISTRATION IS A TWO-DAY PROCESS, FOR WHICH OBSERVERS MUST BE PHYSICALLY PRESENT, AND THE IRI OBSERVERS ARRIVING FROM OVERSEAS ARE NOT CURRENTLY SCHEDULED TO ARRIVE UNTIL JUNE 21. NDI, FOR ITS PART, IS CONCERNED ABOUT THE SECURITY OF ITS OBSERVERS, WHO WERE ALREADY IN-COUNTRY WHEN THE NEW REGULATIONS WERE INTRODUCED. THE NDI REPRESENTATIVE NOTED THAT THE OBSERVERS' SECURITY, ALREADY A CONCERN, IS FURTHER ENDANGERED BY THEIR INABILITY TO OBTAIN ACCREDITATION. NDI INFORMED US ON THE EVENING OF JUNE 13 THAT IT HAD RAISED THE ACCREDITATION

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ISSUE WITH THE ELECTION DIRECTORATE, BUT HAD BEEN REFERRED BACK TO THE FOREIGN MINISTRY.

ACTION REQUEST

18. (C) EMBASSY SEES THREE POSSIBLE WAYS TO PROCEED WITH THE ACCREDITATION ISSUE, NONE OF THEM VERY PROMISING: 1) SUBMIT THE NAMES OF THE IRI/NDI OBSERVERS, AS WELL AS THOSE OF EMBASSY PERSONNEL ACTING AS OBSERVERS, UNDER COVER OF A DIPLOMATIC NOTE, POSSIBLY INCLUDING WORDING CLARIFYING THAT THE IRI AND NDI OBSERVERS ARE NOT DIRECTLY AFFILIATED WITH THE USG; 2) ATTEMPT TO INTERVENE WITH DR. NZUWAH OF THE ELECTION DIRECTORATE, AND WITH OTHER APPROPRIATE GOVERNMENT INTERLOCUTORS, TO OBTAIN OBSERVER STATUS FOR IRI/NDI; OR 3) DETERMINE THAT THERE ARE NO REALISTIC MECHANISMS FOR FURTHER INTERVENTION BY THE USG ON THE ACCREDITATION ISSUE.

19. (C) THE FIRST OPTION POSES A NUMBER OF PROBLEMS, IN EMBASSY'S VIEW. INCLUDING THE IRI/NDI DELEGATIONS IN A LIST OF U.S. OBSERVER WOULD PROBABLY GIVE THE GROUP OFFICIAL STATUS IN

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THE EYES OF THE GOZ, EVEN IF LANGUAGE IN THE NOTE CLARIFIED THE GROUP'S INDEPENDENT STATUS. THIS WOULD PROBABLY CAUSE THE GOZ TO IDENTIFY THE DELEGATIONS' FINDINGS WITH USG OPINION. (WE NOTE THAT NDI HAS ALREADY STATED PUBLICLY THAT THE ELECTIONS CANNOT BE FREE AND FAIR.) FURTHERMORE, IF THE DIPLOMATIC NOTE DID CLARIFY THE NON-OFFICIAL STATUS OF NDI/IRI, IT IS QUITE LIKELY THAT THE GOVERNMENT WOULD REFUSE TO ACCREDIT THE GROUP. DEPARTMENT MAY BE AWARE OF ADDITIONAL COMPLICATIONS THAT WOULD SURROUND THE ACCREDITATION OF IRI/NDI AS PART OF AN OFFICIAL USG OBSERVER MISSION.

10. (C) THE SECOND OPTION IS, IN EMBASSY'S ASSESSMENT, LESS PROBLEMATIC. HOWEVER, GIVEN THE ELECTION DIRECTORATE'S NEGATIVE RESPONSE TO NDI, AND MORE GENERALLY THE APPARENT LACK OF PROCEDURES IN PLACE ON ACCREDITATION OF INTERNATIONAL NGO'S BY THE DIRECTORATE, IT IS NOT AT ALL CLEAR THAT SUCH INTERVENTION WOULD YIELD PROMPT AND POSITIVE RESULTS. INDEED, THE ELECTION DIRECTORATE MAY DELAY MAKING A DECISION UNTIL IT IS PHYSICALLY IMPOSSIBLE FOR THE IRI OBSERVERS TO BE ACCREDITED IN TIME. THE THIRD OPTION MAY BE THE MOST REALISTIC, BUT COULD CREATE AN IMPRESSION THAT THE USG DID NOT DO ALL IT COULD TO FACILITATE ACCREDITATION FOR IRI/NDI.
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11. (C) EMBASSY REQUESTS DEPARTMENT'S INSTRUCTION ON HOW TO PROCEED.

MCDONALD

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